



Lawyers Hub IP Open Week Report 2023

Introduction

Many startups are struggling to raise capital and this situation has been exacerbated by the current economic situation that has seen many of them close shop. The limited capital at their disposal has translated into an inability to seek services that are critical to their day-to-day operations including but not limited to legal services. More specifically, startups have been unable to obtain legal advice relating to intellectual property and how they can secure IP, leverage on the same for financial benefit or even use IP as collateral as the law currently allows for such arrangements. Lawyers Hub sought to bridge this knowledge gap by offering free legal advice on trademarks, patents and copyright law as well as other forms of IP in a bid to support start-ups and other SMEs. The legal advice was offered through 30-minute consultancy sessions during the week of 24th -28th April 2023 which was dubbed Intellectual Property Open Week. On 26th April, as part of the IP Open Week, we also held a Webinar on the subject "Copyright for Non-Human Entities." The webinar was organized in a bid to further the public's understanding of copyright and how it relates to non-humans. As a thought leader in the digital policy and technology law landscape, we took the opportunity to shed some light on the topic that has generated lots of interest but little to no understanding.

Highlights:

The IP Open Week can be summarized in three parts:

Part I: Intellectual Property Quiz for Creatives – This was the precursor to the IP Open Week and was a conversation driven on Twitter's Spaces platform on 20th April. The aim was to promote the Intellectual Property Open Week that would take place from the 24th to the 28th of April. Moreover, we found that the concept of IP is not well-understood as among and how it relates to creatives. This was thus an opportune moment to further people's understanding of intellectual property in the context of the creative industry.

Part II: Consultancy Sessions for Startups and SMEs – These were 30-minute sessions where startups and SMEs received free legal advice on the queries they had relating to intellectual property. The sessions attracted individuals from the insurance, legal, and creative sectors who had different questions on how best to protect their intellectual property. In total, 68 startups from various industries signed up for the sessions.

Distribution of signups by industry

Legal	Technology/ICT	Healthcare	Entertainment	General business	Other
29	6	6	7	4	16
Total 68					

Part III: World Intellectual Property Day Event: Copyright for Non-Human Entities – As part of IP Open Week and to mark World Intellectual Property Day, the Lawyers Hub organized a webinar to discuss the emerging issue in IP that is copyright as it relates to non-human entities. Perpetua Mwangi, head of intellectual property at Simba and Simba Advocates, highlighted the changing landscape of IP practice both locally and internationally in light of the developments in artificial intelligence. The webinar also touched on the future of copyright in the wake of the push towards registration in favor of animals and artificial intelligence.

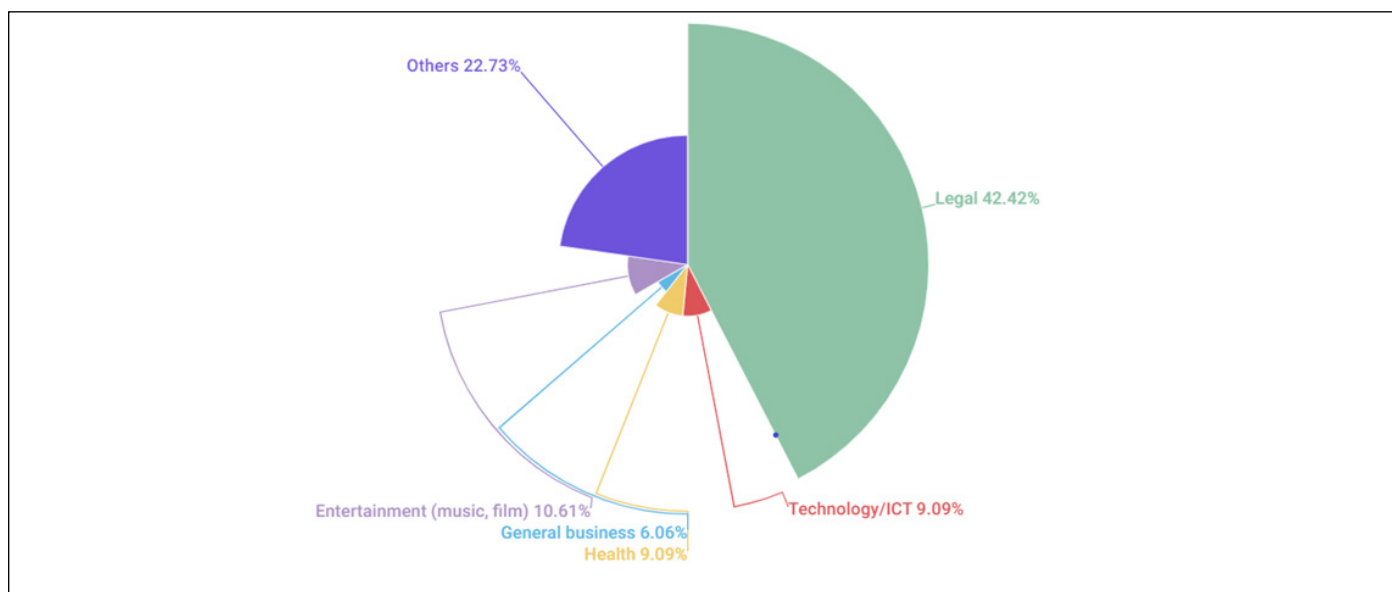


Fig 1: Startups signups by industry

Key Takeaways from the IP Week:

1. There is an intellectual property knowledge gap within the Startups and SME world. Many are unable to distinguish between the basic forms of IP including trademarks, copyright and patents. The inability to distinguish between the different types of IP has translated into a reluctance by many startups and SMEs to pursue registration of the same.
2. Failure to get professional advice is a key cause of the knowledge gap: A good number of the startups have either tried to procure such services and were put off by the cost or have not attempted to get legal advice due to a fear of how expensive such services can be.
3. Interest is there: Despite the reluctance and/or failure to get professional advice on IP, a good number of startups have a keen interest in how they can secure and benefit from intellectual property.
4. It remains to be seen whether the various intellectual property offices across the world will register copyright for works that are not created by humans or with significant human input.

Top 5 questions/issues that arose during the intellectual property consultancy sessions

1. What is a patent and how does one register a patent in Kenya and internationally?
2. A description of copyright and the process of registration.
3. What are trademarks and what is the difference between a trademark and a word mark?
4. Can one buy back the intellectual property in a good or a service once it is sold? And if so, what is the process?
5. Generally, how can a startup/SME leverage on intellectual property to boost profitability of the business?

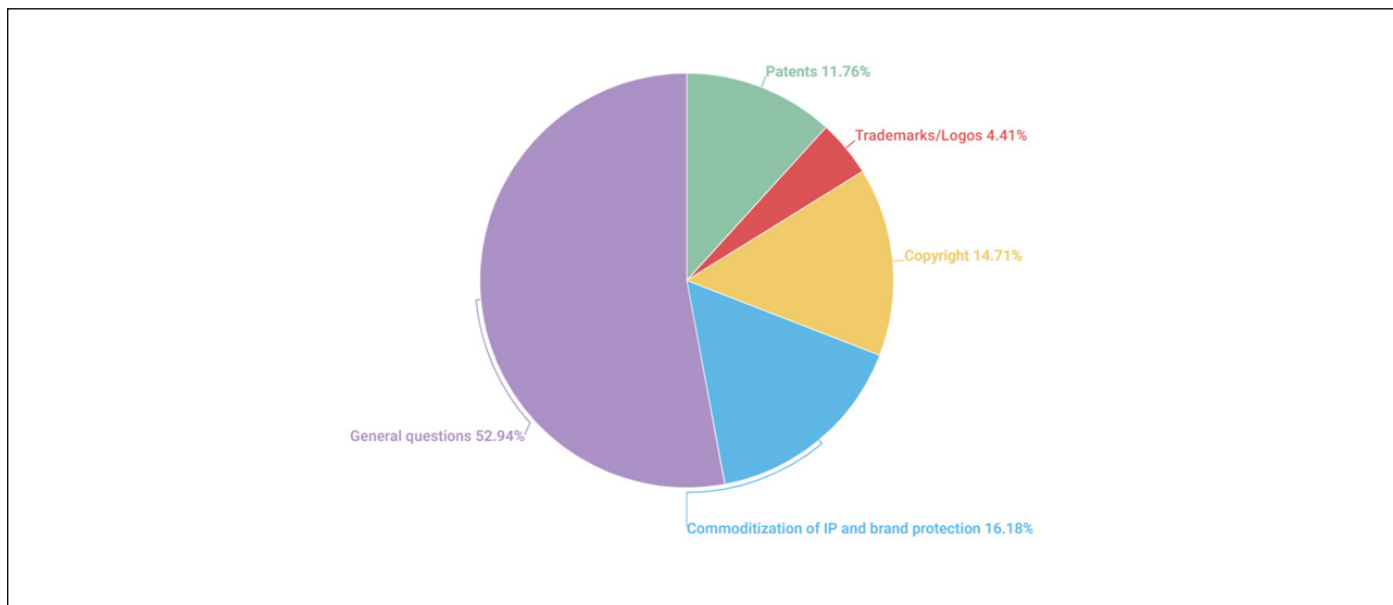


Fig 2: Distribution of the queries by startups

Nature of IP Questions					
Patents	Trademarks/ Logos	Copyright	Commoditization of IP and brand protection	General Questions	Total
8	3	10	11	36	68

Feedback

All three parts of the intellectual property week were well-received. The quiz was fun and insightful while providing creatives with a sound understanding of how to secure their IP rights. A few comments on the quiz from Twitter:

“This is a huge eye opener and insightful...thanks for confirming the important role of an advocate/lawyer in protecting IP rights for creatives”

- Mohamed Nabil @bradheinlaw

“Thanks for this @lawyershubkenya! My #IntellectualProperty rights knowledge was challenged. I hope next week we’ll get a revision to today’s quiz. There’s a lot for nonlawyers like me to learn and unpack.”

- PawaPuff Girl @KuriaYvonne

“Great stuff for creatives. Can I get the audio later to listen in more intently. Thanks.”

- @Othole @Othole

The consultancy sessions on intellectual property were a valuable resource for those who attended. The sessions provided attendees with an eye-opening understanding of intellectual property and its importance in today's business landscape. By learning about patents, trademarks, copyrights, and other forms of IP, attendees gained the knowledge they needed to protect and leverage their ideas and creative works. The knowledge gained was beneficial in helping them protect their intellectual property and potentially create new revenue streams. In addition, as businesses that understand intellectual property they are able to stay competitive, attract investment, and create new opportunities for themselves. Overall, the consultancy sessions on intellectual property proved to be a useful tool for the startups as they sought to gain a deeper understanding of intellectual property and its impact on their businesses.

The webinar also garnered largely positive feedback. Attendees found it to be informative and engaging, with many commenting on the relevance and timeliness of the topic. They appreciated the clear and concise explanations of complex copyright issues, which were presented in a way that was accessible and understandable to both legal and non-legal professionals. Many also praised the Perpetua's understanding of the topic and found her to be knowledgeable and engaging

Conclusion

In conclusion, the Intellectual Property Open Week organized by Lawyers Hub was a great success in bridging the knowledge gap on intellectual property among startups and SMEs. The event provided free legal advice on trademarks, patents, and copyright law, among other forms of IP, to help businesses protect and leverage their ideas and creative works. The event also highlighted the importance of seeking professional advice and registration of IP, which is crucial for startups and SMEs to grow and potentially create new revenue streams. Overall, the IP Open Week was a valuable resource for those who attended and promoted awareness, understanding and provided insights that will be useful for businesses looking to protect their intellectual property. The IP Quiz for Creatives and the World IP Day event provided fun and unique takes on IP issues that are either overlooked or still at their infancy stage

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